

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

In Re: Application for Exemption from the)
Electronic Public Access Fees for)
Dr. Brent Johnson, Widener University)
Commonwealth School of Law)
)
Miscellaneous Business
Docket No. 20-mc-91414-FDS

ORDER

This matter is before the Court upon the application and request by Dr. Brent Johnson for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Court finds that Dr. Brent Johnson, an individual researcher associated with an educational institution, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Dr. Johnson has demonstrated that an exemption is necessary to avoid unreasonable burdens and to promote public access to information. Accordingly, Dr. Johnson shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this court to the extent such use is incurred in the course of researching immigration cases for a forthcoming scholarly article he is working on. The nature of his research involves tracking the number of immigration cases filed in the U.S. District Courts that have specific Nature of Suit (NOS) codes and specific Cause of Action identifiers to better understand the success and failure rates of these particular types of immigration cases, and also see if trends can be identified on how the Courts decide whether to hear these types of cases during different time periods. Dr. Johnson is Co-Director of the Law Library at Widener University, and with a significant reduction in the law library budget this current year, an exemption from PACER fees for this purpose would help the library fulfill its mission of supporting the faculty in their scholarly works. Dr. Johnson shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

- i. this fee exemption applies only to Dr. Johnson, and is valid only for the purposes stated above;
- ii. this fee exemption applies only to the electronic case files of this court that are available through the PACER system;
- iii. by accepting this exemption, Dr. Johnson agrees not to sell for profit any data obtained as a result of receiving this exemption;
- iv. Dr. Johnson is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet-based databases;
- v. this exemption is valid until July 31, 2021.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: August 26, 2020

/s/ F. Dennis Saylor
F. Dennis Saylor IV
Chief Judge, United States District Court